

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)	
PHARMACY, INC. PRODUCTS)	MDL No. 2419
LIABILITY LITIGATION)	
Plaintiffs,)	Docket No. 1:13-md-2419 (RWZ)
)	
This document relates to:)	
)	
Armetta, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	
No. 1:14-cv-14022-RWZ)	
)	
Bowman, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	<u>PLAINTIFFS' MOTION FOR LEAVE</u>
No. 1:14-cv-14028-RWZ)	<u>TO APPEAR VIA TELEPHONE AT</u>
)	<u>JANUARY 10, 2017 STATUS</u>
Davis, et al. v. Box Hill Surgery Center, LLC,)	<u>CONFERENCE</u>
et al.)	
No. 1:14-cv-14033-RWZ)	
)	
Dreisch, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	
No. 1:14-cv-14029-RWZ)	
)	
Farthing, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	
No. 1:14-cv-14036-RWZ)	
)	
Kashi, et al. v. Box Hill Surgery Center, LLC,)	
et al.)	
No. 1:14-cv-14026-RWZ)	
)	
Torbeck, et al. v. Box Hill Surgery Center,)	
LLC, et al.,)	
No. 1:14-cv-14023-RWZ)	
)	
Handy v. Box Hill Surgery Center, LLC, et al.)	
No. 1:14-cv-14019-RWZ)	

Plaintiffs, by their undersigned counsel, hereby move for this Court to allow attorney Jay

D. Miller to appear via telephone at the January 10, 2017 Status Conference before the

Honorable Rya W. Zobel, for reasons explained below.

1. Attorney Jay D. Miller represents Plaintiffs Armetta, Bowman, Davis, Dreisch, Farthing, Kashi, and Torbeck in the above-captioned matters. Mr. Miller is located in Maryland. Although Mr. Miller has been admitted to practice *pro hac vice* on a limited basis before this Court in the MDL proceedings, it would place an undue burden and expense for Mr. Miller to be required to travel to Massachusetts for the scheduled Status Conference.

2. Accordingly, Mr. Miller respectfully requests to appear for the Status Conference via telephone before Judge Rya W. Zobel on January 10, 2017, at 2:00 p.m.

WHEREFORE, Plaintiffs respectfully request that the undersigned counsel be permitted to appear via telephone during the January 10, 2017 Status Conference, and request such other relief as this Court deems just and proper under the circumstances.

Respectfully submitted,

/s/ Jay D. Miller
Patricia J. Kasputys
Jay D. Miller
Glenn E. Mintzer
Sharon L. Houston
Law Offices of Peter G. Angelos, P.C.
100 North Charles Street
22nd Floor
Baltimore, MD 21201
410-649-2000
Pkasputys@lawpga.com
Jmiller@lawpga.com
Gmintzer@lawpga.com
Shouston@lawpga.com

*Attorneys for Plaintiffs Armetta, Bowman,
Davis, Dreisch, Farthing, Kashi, Torbeck
et al.*

CERTIFICATE OF SERVICE

I, Jay D. Miller, hereby certify that a copy of the foregoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system and Notice of Electronic filing (NEF), including the attorneys representing the defendants in the above-referenced individual cases, and will be sent to these parties by operation of the CM/ECF system.

Dated: January 9, 2017

/s/ Jay D. Miller
Jay D. Miller

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Bowman, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	<u>ORDER GRANTING PLAINTIFFS'</u>
No. 1:14-cv-14028-RWZ)	<u>MOTION TO APPEAR VIA</u>
)	<u>TELEPHONE AT JANUARY 10, 2017</u>
Davis, et al. v. Box Hill Surgery Center, LLC,)	<u>STATUS CONFERENCE</u>
et al.)	
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LLC, et al.,)	
No. 1:14-cv-14023-RWZ)	
)	
Handy v. Box Hill Surgery Center, LLC, et al.)	
No. 1:14-cv-14019-RWZ)	

The Court, having considered Plaintiffs' Motion, and good cause appearing therefor,

IT IS this _____ day of _____, 2017, ORDERED that Plaintiffs'

Motion for Leave to Appear via Telephone at the January 10, 2017, 2:00 p.m. Status Conference scheduled by this Court is hereby GRANTED.

JENNIFER C. BOAL
CHIEF MAGISTRATE JUDGE
U.S. DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS